

**IN THE DISTRICT COURT OF THE UNITED
STATES FOR THE MIDDLE DISTRICT OF
ALABAMA, EASTERN DIVISION, AT
MONTGOMERY, ALABAMA**

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J. JACKNETT, CLERK
DISTRICT COURT
MIDDLE DISTRICT ALA.

GENE COGGINS
Plaintiff

V: CIVIL ACTION NO 3:07 CV- 0402 - MEF - TFM

CITY OF JACKSON'S GAP and
JACKSON'S GAP POLICE DEPARTMENT
Defendants

2ND MOTION TO USE THE APPENDIX SYSTEM

COMES NOW, THE PLAINTIFF, GENE COGGINS WITH THIS SECOND MOTION
(FIRST DOCUMENT #4), TO USE THE APPENDIX SYSTEM FOR THE FOLLOWING
REASONS..


1. THIS RIGHT IS A GUARANTEED CONSTITUTION RIGHT AS GIVEN IN FEDERAL RULE , 34
(a), & RULE APP. P. 30.
2. I HAVE A MAJOR MEDICAL PROBLEM WITH MY BLOOD PRESSURE THAT REQUIRES
TAKING FROM ONE TO FOUR PILLS A DAY, ANY THING THAT COULD UP-SET ME, COULD
LEAD TO A STROKE. THEREFORE THE PLAINTIFF DOES NOT DESIRE ORAL ARGUMENT,
FOR ALL ISSUES ARE ESTABLISHED LAWS, AND ARE GUARANTEED UNDER THE DUE
PROCESS OF LAW AND INDIVIDUAL RIGHTS AS GIVEN IN THE CONSTITUTION OF THE
UNITED STATES..

3. UNDER DOCUMENT #12-1 WHERE "THE PLAINTIFF MAY COMPEL THE ATTENDANCE OF WITNESSES A ONE DAY FEE OF \$40.00, PLUS MILAGE, AND COURT COST.", THERE IS NO WAY THAT I CAN PAY THIS AMOUNT, SO IF OTHER MEANS ARE NOT FOUND THEN THIS MOTION MUST BE GRANTED.

IN MY ORIGINAL COMPLAINT I REQUESTED FOR THIS CASE TO BE HEARD ONLY BY A U.S. DISTRICT JUDGE, NOT A MAGISTRATE JUDGE, FOR THEY CAN HANDLE MINOR CASES ONLY AS GIVEN, IN 9 Edmunds Cyclopedia of Federal P. 3919.. THIS FREEDOM OF SELECTING PROPER COURT AND JUDGES, IS A PART OF NATURAL LIBERTIES SWORN TO OF EXCESS WHICH INVADES EQUAL RIGHTS TO OTHERS, THEY ARE RESTRAINTS PLACED UPON THE GOVERNMENT.. Sowers v: Ohio Civil Rights Commission, 20 Ohio Misc. 115, 252 N.E. 2d, 463, 476..

THE OATH OF OFFICE BINDS THAT PARTY WHEN THEY ASSUME , OR CHARGED OF THAT OFFICE, HEREBY DECLARING THAT THEY WILL FAITHFULLY AND TRUTHFULLY DISCHARGE THE DUTIES OF THAT OFFICE AND UP - HOLD ALL THE LAWS EQUALLY, AS GIVEN IN THE CONSTITUTION OF THE UNITED STATES OF AMERICA.AND STATUTES THAT MAY APPLY TO THAT PARTICULAR CASE. Art. VI, U.S. CONSTITUTION, THAT THIS ATTESTATION, OR PROMISE IS MADE UNDER A IMMEDIATE SENSE OF RESPONSIBILITY TO **GOD**, WHERE ONE WILLFULLY ASSERTING UNTRUE STATEMENTS ARE PUNISHABLE FOR PERJURY AND ARE ALSO GUILTY OF A FELONY BY BREAKING THE OATH OF OFFICE.. ART. II Sec. I U. S. Const. Vaughn V: State 146, Tex. Cr. R. 585, 177, S.W. 2d, 59, 60..

THEREFORE THIS MOTION TO USE THE APPENDIX SYSTEM MUST BE GRANTED.



GENE COGGINS